

The Daily Standard.
Saturday, December 7, 1872.

The Victoria Municipal Charter.

The Act under which the Municipal Council derives its very limited powers, is certainly one of the most extraordinary legal productions that ever graced (or disgraced) a statute book. We recollect very well when the subject of incorporating this city occupied the public mind, that the Government of that day were very loath to concede the principle of investing the citizens with municipal powers, lest it should have the effect of weakening the hold which they had upon the people's purse-strings. With them the "ruling passion" was so strong, that they contemplated even the faintest semblance of its relaxation with undignified hostility. However, public opinion at that time was so strongly pronounced in favor of incorporating the city that it was deemed advisable to waive all objections and pass the Bill. Accordingly the city was incorporated, but Mr. George Huxter Carr, then Attorney General and author of the Bill, took good care that in conceding the principle the people should have only the shadow, not the substance, of what they asked for. In defining the sources from which the Council should derive a revenue, besides a rate not to exceed one-fourth of one per cent. upon real estate, they were empowered to impose a specific rate of \$20 per annum on persons doing a wholesale business, \$5 per annum on persons carrying on any other trade, business or calling; \$3 per annum upon dogs running at large; and \$2 50 per head upon horses kept for private use. Besides these there is a list of forty-one different subjects upon which the Council has power to enact by-laws, but not one of them can be made available for purposes of revenue, except by way of penalty for their infraction. Over liquor licences, billiard tables, bowling alleys, rifle galleries, dance houses, theatres, circuses, or other public exhibitions, the Municipal Government has no control whatever, the revenue derived from these various sources, all being very unjustly gobbled up by the Provincial Government, and used for general, instead of municipal, purposes. It will therefore be seen that at best the revenue derived by the Council for municipal purposes is as limited in amount as it is in the sources from which it is derived. But even in those matters from which the Council are empowered to derive revenue, the Act is so framed that it is exceedingly difficult, if not absolutely impossible, to realize taxes as they fall due. This is particularly so in reference to real estate. Under the present charter, if taxes are not paid when due, the Council possess no power to enforce immediate payment, and hence that source of civic revenue depends altogether upon the disposition of those assessed whether they pay their rates regularly every year, or once in three years. The Act says, if such tax be not paid within one calendar month after the day fixed for payment, interest after the rate of twelve per cent. per annum shall thereupon attach, and be payable until the amount due with such interest be registered as a charge against the property assessed; and after the expiration of three years from such date, the land and property against which the charge has been registered, shall and may be sold by public auction, in such manner as the Council may direct. The effect of this absurd provision of the law is a large sum of money due for taxes upon real estate, and for want of which the Council are unable to prosecute many works of public utility and necessity that they otherwise would do. Very different indeed is the power vested in the Municipal Council of New Westminster. Under that charter, in the event of non-payment of any rate or tax duly imposed by the Council, the same may be levied by distress on the goods and chattels of the person liable to pay the same, and in default of a sufficient distress, by the sale of the lot, or a portion of the lot, in respect of which such rate or tax shall have been imposed, within thirty days from the day on which such payment ought to have been made. The result is, that while a large percentage of the rates due on real estate in Victoria remain from year to year unpaid, in New Westminster such rates are promptly paid into the civic treasury, and are each year available for carrying on public improvements within the municipality. Another matter which very seriously obstructs the Council in their efforts to serve the ratepayers and to discharge their duties promptly and efficiently, is that which requires that every trumpeted by-law passed by the Council, before it can come into operation, must be submitted to the Governor for his approval and sanction. It is no unusual thing, we are told, for the Council to be kept waiting for weeks before the Governor's autograph can be obtained. Sometimes he is away from the city, at other times he is so fully taken up with Provincial affairs that he cannot give attention to municipal matters, and so the Council must consequently wait until he can make it convenient to attend to their wants. Again, the Attorney General's opinion must be taken, and that gentleman is so taken up with his own or public affairs that he has no time to bestow upon municipal matters, and so the Council must exercise the virtue of patience until the Attorney General can snatch an hour from his higher State duties to examine any particular by-law that may have been passed by the Council before advising his Excellency whether to sign or veto it. In this way much time is frittered away, and the Council are powerless to help themselves. All this might be obviated by an amending the law so clearly to define the powers of the Council as to the enactment of by-laws, and leave the public to contest, if they feel so disposed, the legality of any particular by-law by an appeal to one of the Judges of the Supreme Court. That is the course pursued in the older Provinces, and why should it not be here? Another very

ridiculous feature in the Act under consideration is that relating to the status of the Mayor. The forty-first section of the Act says, the Mayor shall be the Chief Executive Officer of the Corporation, and shall ex-officio be a Justice of the Peace, and have precedence over all Justices of the Peace; and it shall be his duty to cause the law for the improvement of the city to be duly executed and put in force; and then by way of rider to all this magisterial power, the Mayor is told that he shall not hold a separate Court apart from that of the Stipendiary Magistrate of the city. Now, we should like to know why, or for what reason, the Mayor, who enjoys the empty honor of being the Chief Magistrate of the city, and who by law is authorized to take precedence over all Justices of the Peace, should be debarred from exercising his magisterial functions in a matter of the most trivial violation of a municipal by-law, is the absence of the august presence of the Stipendiary Magistrate? Surely it is time these absurdities should be swept away and the Mayor and Council be invested with power not only to pass by-laws for the good government of the city but also to enforce their observance without any reference whatever, either to the Governor or the one hand or the Stipendiary Magistrate on the other. Such is the practice elsewhere, and why should it not be here?

New Advertisements.
Wanted
A YOUNG MAN TO COOK and assist in a kitchen.
Apply at the
STANDARD OFFICE.

PRELIMINARY NOTICE.
J. P. DAVIES & CO
WILL SELL BY
PUBLIC AUCTION
Thursday, Dec. 12th,
AT SALE ROOM, WHARF ST.
AT 11 O'CLOCK A.M.
To Close Balances

Dry Goods
CUSTOM-MADE CLOTHING
BOOTS & SHOES,
HATS AND CAPS.
BLANKETS.
Particulars on Monday.

NEW BOOT & SHOESHOP.
THE UNDERSIGNED RESPECTFULLY REQUESTS ALL CUSTOMERS TO BE SEVERED.
Custom-made Boot & Shoe Shop
In the premises recently occupied by Mr. Watson, Jeweller, near the corner of
GOVERNMENT & YATES STREETS
where he will furnish his customers with all kinds of
BOOTS AND SHOES
at prices to suit the times. All Work Warranted to be of best quality. A Good Fit or no Fee.

REPAIRING DONE
FRANK BEEGAN.

Wanted
A PRACTICAL TANNER, Also a Good Team Hand.
Apply to
JOHN SWINER, Saddler, Tannery.

Petty Session Court
THE ADJOURNED COURT OF PETTY SESSIONS is further adjourned until Thursday the 12th inst. By Order.
H. B. GOOD, Clerk of the Bench.

MERCHANTS' EXCHANGE
(Under Old Bell's Hall).
Will take place on Xmas Evening for Turkeys, Geese, Stacking Pigs, Hens, Wines & Spirits, and a Dinner. Also, a beautiful Japanese Cabinet (a gem); come and see it.
The Best of Wines & Spirits for the Holidays.
H. FORMAN, Proprietor.

A RAFFLE
Will take place on Xmas Evening for Turkeys, Geese, Stacking Pigs, Hens, Wines & Spirits, and a Dinner. Also, a beautiful Japanese Cabinet (a gem); come and see it.
The Best of Wines & Spirits for the Holidays.
H. FORMAN, Proprietor.

T. SMITH
WANTS TO INFORM THE PUBLIC THAT he has re-opened the well known
BOOMERANG INN
LANGLEY ALLEY.

Wines and Liquors
and the Finest
CIGARETTES
Will always be on hand at the Bar.
2029 davis

New Advertisements.
FOR THE HOLIDAYS.
F. GRELLEY

OFFERS TO HIS NUMEROUS CUSTOMERS on recent arrivals, the largest and best assortment of
WINES & LIQUORS.

CHAMPAGNES:
Napoleon Cabinet, Extra Dry, Reims, France, 1868, 1870, 1872, 1874, 1876, 1878, 1880, 1882, 1884, 1886, 1888, 1890, 1892, 1894, 1896, 1898, 1900, 1902, 1904, 1906, 1908, 1910, 1912, 1914, 1916, 1918, 1920, 1922, 1924, 1926, 1928, 1930, 1932, 1934, 1936, 1938, 1940, 1942, 1944, 1946, 1948, 1950, 1952, 1954, 1956, 1958, 1960, 1962, 1964, 1966, 1968, 1970, 1972, 1974, 1976, 1978, 1980, 1982, 1984, 1986, 1988, 1990, 1992, 1994, 1996, 1998, 2000, 2002, 2004, 2006, 2008, 2010, 2012, 2014, 2016, 2018, 2020, 2022, 2024, 2026, 2028, 2030, 2032, 2034, 2036, 2038, 2040, 2042, 2044, 2046, 2048, 2050, 2052, 2054, 2056, 2058, 2060, 2062, 2064, 2066, 2068, 2070, 2072, 2074, 2076, 2078, 2080, 2082, 2084, 2086, 2088, 2090, 2092, 2094, 2096, 2098, 2100, 2102, 2104, 2106, 2108, 2110, 2112, 2114, 2116, 2118, 2120, 2122, 2124, 2126, 2128, 2130, 2132, 2134, 2136, 2138, 2140, 2142, 2144, 2146, 2148, 2150, 2152, 2154, 2156, 2158, 2160, 2162, 2164, 2166, 2168, 2170, 2172, 2174, 2176, 2178, 2180, 2182, 2184, 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4842, 4844, 4846, 4848, 4850, 4852, 4854, 4856, 4858, 4860, 4862, 4864, 4866, 4868, 4870, 4872, 4874, 4876, 4878, 4880, 4882, 4884, 4886, 4888, 4890, 4892, 4894, 4896, 4898, 4900, 4902, 4904, 4906, 4908, 4910, 4912, 4914, 4916, 4918, 4920, 4922, 4924, 4926, 4928, 4930, 4932, 4934, 4936, 4938, 4940, 4942, 4944, 4946, 4948, 4950, 4952, 4954, 4956, 4958, 4960, 4962, 4964, 4966, 4968, 4970, 4972, 4974, 4976, 4978, 4980, 4982, 4984, 4986, 4988, 4990, 4992, 4994, 4996, 4998, 5000, 5002, 5004, 5006, 5008, 5010, 5012, 5014, 5016, 5018, 5020, 5022, 5024, 5026, 5028, 5030, 5032, 5034, 5036, 5038, 5040, 5042, 5044, 5046, 5048, 5050, 5052, 5054, 5056, 5058, 5060, 5062, 5064, 5066, 5068, 5070, 5072, 5074, 507

The Daily Standard

Saturday, December 7, 1872.

Shipping Intelligence.

PORT OF VICTORIA, BRITISH COLUMBIA.

ARRIVED.

Dec. 6—Ship "Columbia," Captain, Edward L. ...

DEPARTED.

Dec. 6—Ship "Columbia," Captain, Edward L. ...

Auction Sales To Day.

J. C. TRACY, Government Street, will sell at 10 1/2 ...

COWICHAN.

Member's Indemnity Again—Other Matters.

Cowichan, Dec. 6th, 1872.

EDITOR STANDARD:—Your able, exhaustive ...

But the figures you quote place these model ...

legislators in the most favorable light, for ...

you grant that their expenses may be \$3 ...

for a man in their place at home, whereas ...

they are not in a position to pay that, and ...

that is not a fair comparison, and you allow ...

\$100 for board, but that does not prevent ...

members staying at a house when they can ...

board for \$20 per month, as many of them do; ...

one of our worthy members, (although one of ...

the most honest and upright in the house) ...

was elected \$25 per day, or \$250 for the ...

session, was not enough to maintain them ...

in town, when at the same time it could ...

easily be shown they were not making 25 ...

cents per day at home.

But the figures you quote place these model ...

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easily be shown they were not making 25 ...

cents per day at home.

But the figures you quote place these model ...

legislators in the most favorable light, for ...

you grant that their expenses may be \$3 ...

for a man in their place at home, whereas ...

they are not in a position to pay that, and ...

that is not a fair comparison, and you allow ...

\$100 for board, but that does not prevent ...

Police Court.

[Before A. F. Pemberton, Mag.]

Friday, Dec. 6th, 1872.

John Forcell was discharged on the charge ...

of stealing cord wood.

Joseph Osher pleaded guilty of liquor sell- ...

ing to Indians, and was remanded one week ...

for sentence.

Sam. A. Hyland, was charged by Officer Hart ...

with assaulting the officer, and with car- ...

rying his (officer's) coat. Dismissed on first, ...

and fined \$25 on second charge, \$5 to go to ...

cost. In default of payment of fine two ...

months in jail.

Lucy Haglan, a Hyland woman, was given ...

up to the police by Kitty, a Port Rupert ...

woman, for breaking her, plaintiff's, window. ...

Five dollars, or 14 days. Restitution of 75 ...

cents to be made for damage.

John Babbington, lighting in the streets; ...

Edgar Ginoow do., ordered to give security in ...

\$25 to be good boys for three months; other- ...

wise go to prison for 14 days.

ROAD TAX DEFAULTERS.

The following persons were summoned for ...

default of payment of road tax for 1871. W. ...

P. Farson, \$24, postponed till Wednesday. ...

Ab Ling, \$2, postponed till Wednesday. ...

J. W. Carvy, \$6 04, dismissed. The costs in ...

each case amount to more than the amount of ...

tax. Persons interested should take note of this.

The same parties for default in '72 were also ...

summoned; postponed till Wednesday next.

HOMER JONES was sent to Nanaimo to ...

act as his bail before his consignment, and to ...

explain the latest tarasheet. The ...

articles illustrating the late phase of the ...

crisis, illustrating the late phase of the ...

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By Electric Telegraph.

SPECIAL TO THE DAILY STANDARD.

LAST NIGHT'S DESPATCHES.

FUNERAL OF HORACE GREELEY.

Disastrous Storms in Europe.

THE INDIAN TROUBLE IN OREGON.

EASTERN STATES.

New York, Dec. 4.—Several prominent ...

journalists arrived last evening from various ...

cities. The number who visited the City Hall ...

yesterday is estimated at forty thousand.

A dispatch from Washington states that ...

twenty democratic members of Congress left ...

that city last night to attend the funeral of ...

Mr. Greeley. Among the celebrities to arrive ...

from President Grant, Governor Hoffman, Vice ...

President Wilson, Minister Washburne, Sen. ...

Belknap, Gen. Schurz, Trumbull, and Vice ...

President Coffey.

At eleven o'clock the funeral procession ...

started from Mr. Sinclair's house, on 45th ...

street, and proceeded past eleven the ...

procession entered the church, where the ...

scene was most impressive. The Rev. Mr. ...

Chapin opened the ceremony by reading from ...

the Scriptures. Miss Clara Louise Kellogg ...

read the elegiac "Ode" which my friend ...

Redeemer lived," after which the Rev. Mr. ...

Bercher delivered a funeral oration. The ...

procession then started for Greenwood Com- ...

mentary. It was the most impressive funeral ...

procession that has taken place in New York ...

city. The route down Broadway was lined ...

with 100,000 persons.

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